*Reply of Government.*—Noted.

(b) Substitution of enhanced garden assessment for Sayer on Supari.

*Summary of discussion.*—(*b*) To prevent the annoyance caused by the measuring of arecanut grown in bagayat lands, a reasonable tax may be fixed on the basis of the average yield of the past five years and recovered as Land Revenue.

*Per contra*, Mr. Amble Annaiya Pandit stated that the remedy proposed was worse than the evil complained of and that the imposition of the additional kandayem was not desirable.

Mr. Srinivas Rao of Chikmagalur observed that the levy of sayer was attended with oppression and that the burden was further unequal in the Malnad and Maidan.

*Reply of Government.*—The question has been very fully considered and the assessment on supari gardens where excessive has been recently reduced. The proposal to substitute additional land tax for the levy of sayer cannot now be entertained.

**Subject No. 113**

(a) Amildars' Powers to deal with unauthorized felling or appropriation of Government trees.

*Summary of discussion.*—Owing to the provision of law that the Deputy Commissioners alone are competent to deal with cases of unauthorized cutting and appropriation of trees on Government lands, small offences go unpunished and the destruction of trees on a large scale goes on unnoticed. Amildars may, therefore, be empowered to deal with such small cases within defined limits.

*Reply of Government.*—Noted for consideration and enquiry.

(b) To deal with cases of injury to boundary marks.

*Summary of discussion.*—Amildars may be invested with power to deal with cases of offences punishable under Section 133 of the Land Revenue Code, *viz.*, cases of injury to boundary marks.

*Reply of Government.*—Noted for consideration. There have, however, not been many cases of the kind.

(c) To try Revenue Cases.

*Summary of discussion.*—Amildars should not only continue to exercise Police powers but should also be invested with power to entertain as in former days suits filed on the Revenue side for the recovery of sums due to landholders by tenants to the extent of Rs. 300.

*Reply of Government.*—Noted. The subject is not free from difficulty and requires very careful consideration.

**Subject No. 114**

Assessed lands lying waste for less than three years should not be sold when Darkhast is received.

*Summary of discussion.*—Under Land Revenue Rules all lands including wet lands relinquished within three years preceding the date of application have to be sold by auction. This is as prejudicial to raiyats as to Government. The holder of a wet land resigns it as soon as it ceases to be productive and there is no object gained by putting it to auction. On the contrary, what ought to be sold by such

auction is wet land which has been lying uncultivated for more than three years and which has thus recuperated itself and become again capable of yielding a good crop.

*Per contra*, Mr. Patel Nagappa of Turuvekere stated that the present rule was all right.

*Reply of Government.*—The present Rule appears to work satisfactorily. No change is called for.

**Subject No. 115**

**Modification of para V of Rule XXXVII of Land Revenue Rules about recovery of Revenue.**

*Summary of discussion.*—Para 5 of Rule XXXVII of the Land Revenue Rules makes it difficult for raiyats to secure tenants and may therefore be modified.

*Reply of Government.*—This cannot be done.

**Subject No. 116**

**(a) Darkhast for Banjar lands.**

*Summary of discussion.*—(*a*) To prevent delays, disputes and animus, an upset price may be fixed once for all on all Banjar lands so that darkhasts may be granted as soon as they are presented and on payment of such upset price.

*Per contra*, Mr. Amble Annaiya Pandit of Mysore stated that the system of holding public sales was good as otherwise there would be secret disposal of lands with the connivance of patels and shanbhogs.

Mr. Chinnappa of Srinivasapur stated that public sales were disadvantageous to poor raiyats.

*Reply of Government.*—Deputy Commissioners have ample discretion in the matter of granting lands and can whenever they think fit dispense with a public sale. No modification of the rules on the subject is called for.

**(b) Disposal of Government waste lands without sale.**

*Summary of discussion.*—(*b*) (1) Such lands should be given to the first applicant on payment of the price of trees, &c., standing thereon.

(2) Kharab lands may be given for an upset price to such persons as may get them measured and demarcated at their own cost.

(3) When applications are made for Government waste lands which are not included in forests, the practice of asking the opinion of the officers of the Forest Department may be discontinued and the lands may be disposed of in the ordinary course.

**(c) Amildars' Powers to grant lands for an upset price.**

(*c*) To prevent delay in the disposal of darkhasts, Amildars may be authorized to grant lands for cultivation within certain limits on payment of an upset price.

*Reply of Government.*—(*b*) & (*c*) The Rules require no modification. Due provision is made for refund of cost of measurement and demarcation to the prior unsuccessful applicant. The request that Amildars be vested with discretion to some extent is noted for enquiry and consideration.